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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,344	12/06/2001	Yi Sik Chae	LT-0008	5265
34610	7590	07/05/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,344

Applicant(s)

CHAE, YI SIK

Examiner

Thong H. Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-7,10-21 are pending. Claims 8-9 are canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7,10-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Takagi et al [Takagi 5,881,231].

2. As per claim 1, Takagi discloses A method of providing a file transfer service through a mobile communication network [Takagi, information transfer, col 16 lines 38-48], comprising:

storing a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network [Takagi, mobile network, Fig 1, col 7 lines 7-41];

transmitting information for transferring the data file through the mobile first network based on the store transfer conditioning information [Takagi, the condition required for the information transfer plan, col 16 lines 38-48]; and

check response information sent from a second mobile terminal answering to said information for transferring the data file, and transferring the data file to the second mobile terminal based on the checked result, wherein said transfer conditioning information includes a blocking time period (i.e.: delay time) set in the first mobile terminal by a user of when to block a file transfer by the first mobile terminal [Takagi,

delay time period, col 11 lines 29-45; activity schedule, period of time, current time, col 13 lines 5-20].

3. As per claim 2, Takagi discloses said transfer conditioning information further includes identification information of the first and the second mobile terminal, and size information of the data file to transfer [Takagi, size of each information, col 22 lines 46-col 23 line 10].

4. As per claim 3, Takagi discloses said information for transferring the data file includes size information of the data file to transfer to original [Takagi, size of each information, col 22 lines 46-col 23 line 10]

5. As per claim 4, Takagi discloses said information for transferring the data file further includes type information the data file to transfer [Takagi, information type, col 11 lines 16-26]

6. As per claim 5, Takagi discloses said response information includes spare storage capacity information of a peripheral device connected to the second mobile terminal [Takagi, the available capacity, col 18 lines 5-20].

7. As per claim 6, Takagi discloses said checking determines whether or not to transmit the data file based on the response information and the stored transfer conditioning information [Takagi, calculate result, col 17 lines 20-30].

8. As per claim 7, Takagi discloses A method of providing a file transfer service trough a mobile first network, comprising:
storing a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile first network [Takagi, the condition required for the information transfer plan, col 16 lines 38-48];
selecting one among the stored data files based on the stored transfer conditioning information [Takagi, selects thath information, col 22 lines 56-col 23 line 10]; and
transferring the selected data file to a second mobile terminal specified as a destination of the selected file; wherein the transfer condition information includes information of a blocking time period set by a user of when to block a file transfer, and wherein said selecting includes selecting one data file whose transfer blocking time period is closest to a current time [Takagi, delay time period, col 11 lines 29-45; activity schedule, period of time, current time, col 13 lines 5-20; the latter scheme will be used for most of the data and the program, col 30 line 53-col 31 line 2].

8-9. (Canceled)

9. As per claim 10, Takagi discloses said blocking time period is set to a time period when voice traffic is normally congested [Takagi, schedule time, col 13 lines 5-20].

10. As per claim 11, Takagi discloses said transferring includes transmitting another data file selected next based on the transfer conditioning information to a third mobile terminal specified as destination of the next selected file, if trials of making connection to the second mobile terminal fail [Takagi, the third unit, col 22 line 56-col 23 line 10].

11. As per claim 12, Takagi discloses A file transfer method, comprising:
requesting a blocking time period be set in a first mobile terminal during which a file transfer is blocked [Takagi, schedule time, col 13 lines 5-20];
selecting a file to transfer to a second mobile terminal [Takagi, user add, change select the transfer evaluation criteria, col 17 lines 1-5];
receiving by the second mobile terminal, a display message indicating the file selected by the first mobile terminal is ready for transfer at a time not within the blocking time period, said display also including a size of the file to be transferred [Takagi, size of information, col 17 lines 30-60]; and
delaying the file transfer until the second mobile terminal is connected to an external apparatus having a sufficient memory capacity to store the size of the file to be transferred [Takagi, delay of a prescribed period of time, col 11 lines 29-38].

12. As per claim 13, Takagi discloses the file selected in the first mobile terminal is stored on a file handling server with a plurality of other files to be transferred by other mobile terminals [Takagi, network server, col 30 lines 11-26].

13. As per claim 14, Takagi discloses the file handling server first transfers a file whose blocking time period is closest to a current time [Takagi, the latter scheme will be used for most of the data and the program, col 30 line 53-col 31 line 2].

14. As per claim 15, Takagi discloses when the second mobile terminal is connected to the external apparatus, the second mobile terminal sends information about a memory capacity of the external apparatus to the file handling server and the file handling server determines whether the memory capacity of the file handling server is sufficient to store the file to be transferred [Takagi, the available capacity of storage unit, col 18 lines 5-20].

15. As per claim 16, Takagi discloses the file handling server transmits an error message to the second mobile terminal if the memory capacity is insufficient to store the file to be transferred [Takagi, calculate the transfer time, transfer rate, col 15 lines 40-56; col 17 lines 6-30; col 19 lines 36-53].

16. As per claim 17, Takagi discloses the file handling server transfers the file to the external apparatus via the second mobile terminal if the memory capacity is sufficient to

store the file to be transferred and a current time is not within the blocking time period [Takagi, calculate the transfer time, transfer rate, col 15 lines 40-56; col 17 lines 6-30; col 19 lines 36-53].

17. As per claim 18, Takagi discloses the file handling server further transmits a message indicating a file transfer is in progress to the second mobile terminal when the file is being transferred to the external apparatus [Takagi, notified, col 23 lines 35-52].

18. As per claim 19, Takagi discloses the blocking time period is set by a user [Takagi, user 's activity scheduled, col 13 lines 5-20].

19. As per claim 20, Takagi discloses a method of providing a file transfer service through a mobile communication network, comprising:
storing a data file and transfer conditioning information thereof received from a first mobile terminal connected through the mobile communication network [Takagi, schedule time, col 13 lines 5-20];
selecting one among the stored data files based on the stored transfer conditioning information [Takagi, user add, change, select the transfer evaluation criteria, col 17 lines 1-5]; and
transferring the selected data file to a second mobile terminal specified as a destination of the selected file, wherein the transfer condition information includes information of a blocking time period set by a user of when to block a file transfer,

Art Unit: 2142

wherein said selecting includes selecting one data file whose transfer blocking time period is closest to a current time [Takagi, the latter scheme will be used for most of the data and the program, col 30 line 53-col 31 line 2],
and wherein said transferring includes transmitting another data file to a third mobile terminal specified as a destination of another selected data file if the selected data file is not transferred to the second mobile terminal [Takagi, the third unit, col 22 line 56-col 23 line 10].

20. As per claim 21, Takagi discloses the blocking time period is set by a user user [Takagi, user 's activity scheduled, col 13 lines 5-20].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Primary Examiner
Art Unit 2142

